

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Home Telephone Company, Inc. To  
Approve Transfer of Assets and Authority to Home  
Telephone ILEC, LLC, d/b/a Home Telecom, and to  
Restructure its Wholly-Owned Subsidiary Companies

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

COVER SHEET

DOCKET  
NUMBER: 2010 - 361 - C

(Please type or print)

Submitted by: Margaret M. Fox, Esquire

SC Bar Number: 65418

Address: McNair Law Firm, P. A.

Telephone: 803-799-9800

P. O. Box 11390

Fax: 803-753-3219

Columbia, SC 29211

Other:

Email: pfox@mcnair.net

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition

☐ Request for item to be placed on Commission's Agenda expeditiously

☐ Other:

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery	
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input checked="" type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other: _____	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Interconnection Amendment	<input checked="" type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

Print Form

Reset Form

MCNAIR  
ATTORNEYS

December 6, 2010

Rebecca W. Martin

[bmartin@mcnair.net](mailto:bmartin@mcnair.net)

T (803) 799-9800  
F (803) 753-32778

Ms. Jocelyn Boyd  
Chief Clerk and Administrator  
South Carolina Public Service Commission  
Synergy Business Park, The Saluda Building  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re: Application of Home Telephone Company, Inc. To Approve Transfer of  
Assets and Authority to Home Telephone ILEC, LLC, d/b/a Home  
Telecom, and to Restructure its Wholly-Owned Subsidiary Companies  
**Docket No. 2010-361-C**

Dear Ms. Boyd:

Enclosed please find proofs of publication from *The Post and Courier* and *The Berkeley Independent* newspapers of legal advertisement as required by the Commission in the above-referenced matter. This publication was made on November 15, 2010 in *The Post and Courier* and on November 17, 2010 in *The Berkeley Independent*.

Please advise us if the Commission requires anything further.

Sincerely,

McNAIR LAW FIRM, P.A.



Rebecca W. Martin

RWM  
Enclosures

McNair Law Firm, P. A.  
1221 Main Street  
Suite 1600  
Columbia, SC 29201

Mailing Address  
Post Office Box 11390  
Columbia, SC 29211

[mcnair.net](http://mcnair.net)

MCNAIR LAW FIRM/COLUMBIA  
PO BOX 11390  
COLUMBIA SC 29211

## AFFIDAVIT OF PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

11/15/10 Mon PC  
11/15/10 Mon CNW

at a cost of \$436.62  
Account# 105984  
Order# 422416  
P.O. Number:

Subscribed and sworn to before  
me this 17th day  
of November  
A.D. 2010

advertising clerk

NOTARY PUBLIC, SC  
My commission expires

### PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

#### CLERK'S OFFICE

#### NOTICE OF FILING

DOCKET NOS. 2010-381-C, 2004-61-C  
AND 1994-757-C

Home Telephone Company, Inc. ("Home Telephone") has filed an Application with the Public Service Commission of South Carolina (the "Commission") pursuant to S.C. Code Ann. Sections 58-7-280(B) and 58-7-310 for approval of Transfer of Assets and Transfer of Authority and to restructure its corporate organization. At the conclusion of the corporate reorganization, Home Telephone will be a holding company, and a newly formed entity, Home Telephone ILEC, LLC, d/b/a Home Telecom ("Home ILEC"), will be a wholly-owned subsidiary of Home Telephone for the purpose of providing regulated incumbent local exchange telephone services. In addition, Home Telephone requests approval to restructure its existing wholly-owned subsidiary companies so that like services and assets will be held in the respective affiliates.

The Application reveals that Home Telephone requests that the Commission take the following action: (i) Transfer certain of Home Telephone's South Carolina telecommunications assets and liabilities, including its customer base, to Home ILEC; (ii) Transfer Home Telephone's authority to provide local exchange telephone service as an incumbent local exchange carrier and all rights and obligations incident thereto to Home ILEC; including, but not limited to, Home Telephone's authority to operate under an alternative form of regulation; Home Telephone's status as an eligible telecommunications carrier ("ETC") and Home Telephone's status as a carrier of last resort; (iii) Merge Home ILEC and Berkeley, Inc. ("Berkeley") into Berkeley Cable, Inc. ("Berkeley Cable"); (iv) Merge Home ILEC, LLC, d/b/a Home Telecom into Berkeley Cable; (v) Transfer the certificates of public convenience and necessity held by Home ILEC and Home Telecom to Berkeley Cable; and (vi) Waive any applicable requirements of S.C. Code Ann. § 58-3-230 with respect to the transfer of customers from Home Telephone to Home ILEC from Home Telecom to Berkeley Cable and from Home ILEC to Berkeley Cable.

Home ILEC will continue to provide the same services, upon the same rates, terms, and conditions, to the end-

user, local exchange customers currently being served by Home Telephone.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210 and on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) under Docket Number(s) 2010-381-C, 2004-61-C and 1994-757-C. A copy of the Application is also available from Margaret M. Fox, Esq., McNaair Law Firm, P.A., P.O. Box 11390, Columbia, SC 29211.

A public hearing, if scheduled, will be held in Columbia, South Carolina, in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before December 9, 2010, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to Docket Nos. 2010-381-C, 2004-61-C and 1994-757-C.

Any person who wishes to testify and present evidence at the hearing should notify the Clerk's Office in writing at the address below, the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201, and Margaret M. Fox, Esq., at the above address, on or before December 9, 2010, and indicate the amount of time required for his presentation. Please refer to Docket Nos. 2010-381-C, 2004-61-C and 1994-757-C.

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Clerk's Office in writing at the address below on or before December 9, 2010. Please refer to Docket Nos. 2010-381-C, 2004-61-C and 1994-757-C.

**PLEASE TAKE NOTICE:** Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 696-5100.

Public Service Commission of South Carolina  
Attn: Clerk's Office  
Post Office Drawer 11649  
Columbia, SC 29211

11/8/10 AD# 422416

AFFIDAVIT  
OF PUBLICATION

# THE BERKELEY INDEPENDENT

State of South Carolina  
County of Berkeley

Personally appeared before me  
The undersigned advertising Clerk of the  
Above indicated newspaper published  
In the Town of Moncks Corner, County and  
State aforesaid, who, being duly sworn,  
Says that the advertisement of

(copy attached)

appeared in the issue of said newspaper  
on the following day(s):

November 17, 2010

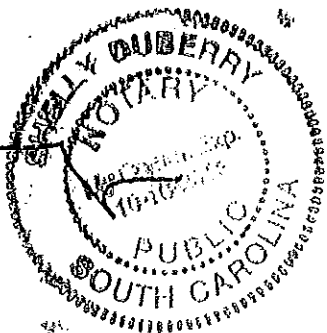
Subscribed and sworn to

Before me this 1st day  
Of December

A.D. 20 10

Notary Public, SC  
My Commission expires Oct 10, 2013

Keisha Edging  
Advertising Clerk



PUBLIC SERVICE  
COMMISSION OF  
SOUTH CAROLINA  
CLERK'S OFFICE  
NOTICE OF FILING  
DOCKET NOS:  
2010-361-C, 2004-61-C  
AND 1994-757-C  
Home Telephone Company, Inc. ("Home Telephone") has filed an Application with the Public Service Commission of South Carolina (the "Commission") pursuant to S.C. Code Ann. Sections 58-7-200(B) and 58-9-310 for approval of Transfer of Assets and Transfer of Authority and to restructure its corporate organization. At the conclusion of the corporate reorganization, Home Telephone will be a holding company, and a newly-formed entity, Home Telephone ILEC, LLC, d/b/a Home Telecom ("Home ILEC"), will be a wholly-owned subsidiary of Home Telephone for the purpose of providing regulated, incumbent local exchange telephone services. In addition, Home Telephone requests approval to restructure its existing wholly-owned subsidiary companies so that like services and assets will be held in the respective affiliates.  
The Application reveals that Home Telephone requests that the Commission take the following action: (i) Transfer certain of Home Telephone's South Carolina telecommunications assets and liabilities, including its customer base, to Home ILEC; (ii) Transfer Home Telephone's authority to provide local exchange telephone service as an incumbent local exchange carrier and all rights and obligations incident thereto to Home ILEC, including but not limited to Home Telephone's authority to operate under an alternative form of regulation; (iii) Home Telephone's status as an eligible telecommunications carrier ("ETC"); and Home Telephone's status as a carrier of last resort ("COLR"); (iv) Merge Home Long Distance, Inc. ("Home L.D.") into Berkeley Cable Television, Inc. ("Berkeley Cable"); (v) Merge Home Telecom, LLC ("Home Telecom") into Berkeley Cable; (vi) Transfer the certificates of public convenience and necessity held by Home L.D. and Home Telecom to Berkeley Cable; and (vii) Waive any applicable requirements of S.C. Code Ann. § 58-3-230 with respect to the transfer of customers from Home Telephone to Home ILEC from Home Telecom to Berkeley Cable, and from Home L.D. to Berkeley Cable.  
Home ILEC will continue to provide the same services upon the same rates, terms, and conditions to the end-user local exchange carriers currently being served by Home Telephone.  
A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina.

Home ILEC will continue to provide the same services, upon the same rates, terms and conditions, to the end-user local exchange customers currently being served by Home Telephone.

A copy of the Application is on file in the offices of the Commission, 101 Executive Center Drive, Columbia, South Carolina 29210, and on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) under Docket Numbers 2010-381-C, 2004-81-C and 1994-757-C. A copy of the Application is also available from Margaret M. Fox, McNair Law Firm, P.A., P.O. Box 11390, Columbia, SC 29211.

A public hearing, if scheduled, will be held in Columbia, South Carolina, in the offices of the Commission at the above address, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record, with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before December 8, 2010, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. Please refer to **Docket Nos. 2010-381-C, 2004-81-C and 1994-757-C.**

Any person who wishes to testify and present evidence at the hearing should notify the Clerk's Office, in writing, at the address below, the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201, and Margaret M. Fox, Esquire, at the above address, on or before December 9, 2010, and indicate the amount of time required for his presentation. Please refer to **Docket Nos. 2010-381-C, 2004-81-C and 1994-757-C.**

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Clerk's Office, in writing, at the address below on or before December 9, 2010. Please refer to **Docket Nos. 2010-381-C, 2004-81-C and 1994-757-C.**

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